

REMARKS

ON THE

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R Charles Edward Stuart
Pretender's Eldest SON's

Second DECLARATION,

Dated the 10th of October, 1745.

By the AUTHOR of *The* REMARKS on
his *First* DECLARATION.

Consilia qui dant prava Cautis hominibus,
Et perdunt Operam, et deridentur turpiter.
PHÆD.

*All these Things will I give thee, if thou wilt
fall down, and worship me——*

The SECOND EDITION Corrected.



L O N D O N:

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R E M A R K S

O N T H E

P R E T E N D E R's Eldest S O N's

Second D E C L A R A T I O N.



IT seems needless to prove to *Protestants*, that it is more for their Interest to have a *Protestant* than a *Popish* King; nothing being more certain than that it is impossible for a Nation to be happy, where a People of the Reformed Religion are governed by a King that is a Papist.

Several of the *Articles* of our Church, and many of the *Homilies*, affirm the *Romish* Religion to be *Idolatrous*; and the *Tenets* of the Church of Rome, and *De-*

crees of their Councils, declare that Protestants are *Hereticks*, and ought as such to be *extirpated*, and that Princes are not bound to keep *Faith* with them. Under these Circumstances it seems *strange*, that any Person endued with common Humanity, should *desire* to be King of a People, whom, until he ceases to be *Religious*, he cannot cease *Persecuting*. And it is more strange, that any *private Persons*, who profess themselves to be *Protestants*, should *desire* to be Subjects to a King that is a *Papist*, whom *they* must consider as an *Idolator*, and who will ever esteem *them* to be *Hereticks*, and Professors of a Religion his Faith obliges him to endeavour to extirpate. It is not possible to figure to one self, a Situation more *uneasy* for the Prince, nor more *unhappy* for the People; and to counterballance it, there is not a *single* Benefit or Advantage that can arise to a Nation from a Union so *unnatural*.

No Man who does not prefer *Slavery* to *Liberty*, or a more *precarious* Security to a *better*, will esteem such a Government as King *James* the Second had establish'd in these Kingdoms *preferable* to that we have quietly lived under *since* his Abdication.

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The Revolution was a new *Æra*, and the *Parliamentary* Settlement then made a new *Magna Charta* of the Rights of the Crown, and the Privileges of the People of these Kingdoms. His *Majesty* derives his Title from Acts made in Consequence of it, and his *Subjects* derive a more *full* and *explicit* Declaration of their Liberties and Privileges, and a more *solemn* Establishment of them, from the same *Period*: They are no longer liable to be *oppressed* in their Persons or Properties by the Crown, whose Power is thereby properly *limited* and *declared*; and the Chimera of Prerogative, which in the four preceding Reigns had *laid all Waste*, is thereby effectually *removed*.

The *Laws of the Land* are now known, and they are the sole Springs from whence the *Prince* can derive his Pretensions, and the *People* their's; and a King of *Britain* is now, strictly and properly, what Kings should always be.

No reasonable Man, therefore, can insist that the *Constitution*, under which we now live, is not preferable to that which prevailed *before*: The greatest Part of the Men now alive were born *under* it; they lay under no Pretence of Obligation to any *other*; and to the Support of *this* they are bound by the strictest Ties of Society, and by all the Motives of Honour and Interest,

terest, and will therefore *inviolably* adhere to it.

An Author, whose Opinion will have Weight with many Persons, expresses himself thus concerning the Revolution: — ‘ What they did, was done as near as possible to the Spirit of our *Constitution*, the Forms of our *Laws*, and the Examples of *former Times*. They had the *Merit*; their Posterity hath the *Benefit*: Nay, he who would say they had the *Guilt*, not the *Merit*, must still allow that their Posterity hath the *Benefit*, without sharing the *Guilt*: And, upon the whole Matter, I shall venture to assert, that he who *scruples*, or pretends to *scruple*, at this Time, the Validity of our *present* Constitution, is no *wiser*, or or else no *honest*, than he would be who should *scruple*, or pretend to *scruple*, the Validity of *Magna Charta*.*

The young Pretender being *disappointed* of the Assistance of Troops he expected from *France* and *Spain*, hath, with a View to poison the Minds of the People, and seduce the unwary to join him in his desperate Undertaking, published a *second* Declaration, dated at *Holy-Rood House* the 10th Day of *October*, 1745;

* Dissertation on Parties. *Craftsman*, vol. 12. P. 93.

Copies of which, in Print and Manuscript, have been very industriously spread about the Kingdom.

The Chance of War hath oftentimes deprived many *free* States of their Liberties and Freedom, and a superior Force hath obliged them, tho' unwillingly, to bow the Neck to a haughty Conqueror. If the Persons embarked in the present Rebellion, had rested their Success on such a Tryal, there would have been something *manly* in the Attempt; but to hope to *reason* a free People out of their Liberties, and that by so weak a Performance as this *last Declaration*, is an Affront to the Understanding of every Person of common Sense in the Kingdom, and is a strong Proof of the very *low* Opinion the Persons who penned it have of the *English* Nation, if they *really* imagined such Arguments could impose upon us; to think that, after the Tyranny and Oppression these Kingdoms endured during the arbitrary Reign of a *Popish* Prince, who broke every Promise he made to us, we can be *wheeled* and *cajoled*, by well-turned Periods, and artful Expostulations, to submit to another *Popish* Prince, meerly because he promises to *re-instate* us in the same *slavish* State we were in *when* his pretended Father *deserted* us, in an Insult, I am persuaded

suaded my Countrymen will convince the Rebels they know how to resent.

This Declaration seems to be the last Effort of this Nature we are to expect; and, notwithstanding it has been represented as a masterly Performance, I shall in the following Remarks endeavour to give it a full Answer, and prove that it chiefly consists of *false* Facts, and the *falsest* Reasonings: And, that it may appear I have examined it with Fairness and Candour, I shall not omit any Part of the Declaration that can be thought to merit the Attention of the Publick.

It begins with declaring, *that as soon as the Regent arrived in Scotland, his first Care was to make publick his Father's Declaration: And that, in consequence of the large Powers by him vested in the Son, in Quality of Regent, he also emitted his own Manifesto, explaining and enlarging the Promises formerly made, according as he came to be better acquainted with the Inclinations of the People of Scotland.*

Were the Pretender a *Protestant*, and under an Obligation to keep Faith with *Hereticks*, every cautious and prudent Person, before he put any Trust in the Declarations published in his Son's Name, would *first* enquire what Authority he hath
to

to make them, in order to the being satisfied that he has *not* therein *exceeded* his Authority, or perhaps acted *without Authority*; Satisfaction in both these Points being more or less necessary, in proportion as the Assurances thereby given are more or less material.

His Father's Declaration is dated at *Rome* the 23d of *December* 1743; * and the Commission by which he *appoints* his Son *Regent* of *England, Scotland, and Ireland*, bears Date the *same Day*.

By this Commission he declares he impowers his Son to exercise all that Power and Authority, which, according to the *ancient Constitutions of the Kingdom*, has been enjoyed by former Regents.—— This, in Effect, is giving him *no Authority at all*, since it cannot be shewn that, by the ancient Constitutions of the Kingdom, a Person claiming a *Right* to be

* This Declaration has been so *sparingly* published, that the Writer of these Remarks hath not been able to obtain a Sight of it, or any other Information concerning it, than that it is dated the 23d of *December*, 1743.—If, which appears to be the Case, it is more *restrained* than those *since* published by the Son, it may be said the Son, in what he has done, has *exceeded* his Authority: If it is more *extensive*, which however is not probable, it may be said that those *last* are to be the Rule, as being a Restriction and Limitation of the former.

King, (which is all the Pretender, *at the time* this Commission was granted, pretended to be) and who was never in the actual *Possession* of the Crown, has any Power to appoint a Regent, or to do any other Act as King: A Pardon, or any other Regal Act, granted by such a Person claiming to be King, has been determined to be *void*; the *De Jure Claimant* not being entituled to exercise any of the Prerogatives and Authorities of the Crown, until he gets into actual *Possession*. *

But, if the granting this Commission were admitted to be agreeable to former Usage, it cannot from thence be maintained that such a Regent, thus appointed, can, in Vertue of his *Quality of Regent*, by the ancient Constitutions of the Kingdom, bind his *Principal* to the performance of any *special* Promises he shall think fit to make in his Name; much less is it in his Power, in *Quality of Regent*, to *explain* and *enlarge* the Promises contained in his Father's Declaration, signed at the *same time* with his Appointment to be Regent. The Regent in this *new* Declaration admits, that the *former* Declaration or Manifesto dated the 16th of *May*, 1745, *explains* and *enlarges* the Promises made by his Father's Declaration. It is not suggested

* Co. 3. Inst. p. 7.

that

that the Pretender hath given his Son any *new* Authority, empowering him to make these *Enlargements* or *Explanations*: On the contrary, the Son expressly declares he *emitted* the Declaration or Manifesto of the 16th of *May*, 1745, in Consequence of the Powers vested in him, in Quality of Regent, and *according* as he came to be *better* acquainted with the Inclinations of the People of *Scotland*. The setting-out wrong is generally esteemed to be a bad Omen — Persons who are not versed in the Paths of Truth, have frequently bad Memories; which is this young Gentleman's Case; both the above Propositions being unfortunately mistaken. I have before shewn that his *first* Manifesto or Declaration could not be published *by Virtue* of any Powers vested in him *in his Quality of Regent*, his Commission not extending to it; that it did not proceed *from his being, after his Arrival in Scotland, better acquainted with the Inclinations of the People of that Kingdom*, is demonstrable: It was printed at *Paris*, and is dated there the 16th of *May*, 1745, above *two Months* before he arrived in the Highlands, and therefore could not be the Result of his being *better acquainted* with the Inclinations of the People of that Kingdom.

What Truth or Sincerity are to be ex-
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pected in the subsequent Clauses of this *new* Declaration, when the first Paragraph of it appears to be so totally inconsistent with both ?

The Declaration or Manifesto of the 15th of *May*, 1745, was address'd to the People of *England* and *Ireland*, as well as to those of *Scotland*: It was certainly injudicious in the Regent to publish in this Manner to the People of *England* his great *Partiality* for the *Scottish Nation*, and to inform us before-hand that the *Inclinations of the People of Scotland are to be the Rule of our future Establishment*.

The same noble Spirit of Liberty which will prevent my Countrymen from submitting to be a *Province to France*, will never permit them to acquiesce in any *Change* of their Government, brought about in Compliance with the Inclinations of any but themselves.

The Regent in this Declaration *mistakes* his own pretended Title, he stiling himself in it Regent of the Kingdoms of *England*, *Scotland*, *FRANCE*, and *Ireland*. His Friends at *Versailles* will not thank him for this *Usurpation*, which is *ridiculous*, and not warranted either by his pretended *Commission*, or by former *Usage*, there being no Instance of Kings of *England* appointing Regents of *France*, but during
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the Time they were in the *actual* Possession of that Kingdom.

The Declaration proceeds with asserting, *that he is become Master of the ancient Kingdom of Scotland, and that he therefore judged it proper in this publick Manner, by this NEW Declaration, to make manifest what ought to fill the Hearts of all his Majesty's Subjects of what Nation or PROVINCE soever, with Comfort and Satisfaction.* What Comfort or Satisfaction this Declaration ought to give them, they will judge when the Contents of it are particularly considered. It would surely have been prudent not to have inserted the Word *Province* in this Paragraph, it being an Expression which can never fail of furnishing every *Englishman* that reads it with Reflections by no Means in Favour of the Pretender.

As to his being become Master of the ancient Kingdom of Scotland, a little Time will demonstrate the Falsity of that Assertion, and prove his Dominion in that Kingdom similar only to that of Massinello in Naples.

He then declares, *that his Father's sole Intention is to REINSTATE all his Subjects in the full Enjoyment of their Religion, Laws and Liberties, and that his present Attempt is not undertaken in order*

der to enslave a free People, but to redress and remove the Encroachments made upon them; not to impose upon any a Religion which they dislike, but to secure them all in the Enjoyment of those which are respectively at present established among them, either in England, Scotland, or Ireland; and, if it shall be deemed proper that any further Security be given to the Church or Clergy, he thereby promises, in his Father's Name, That he shall pass any Law that his Parliament shall judge necessary for that Purpose.

That it is the Pretender's sincere Intention to *reinstate* some of those he calls his Subjects in the full Enjoyment of their Religion, Laws, and Liberties, is not to be questioned, since this Paragraph can relate only to *such* of his Subjects as are *Papists, Outlaws, or attainted* Persons, whom, without Doubt, he intends to *reinstate* in the free Exercise of their Religion, and of those Estates and Possessions which they have *forfeited*. The Expression *Reinstate, ex vi Termini*, is applicable to no other Sort of People; every other Person in the three Kingdoms, *until his Son landed in Scotland*, being in the actual and quiet Enjoyment of their Religion, Laws and Liberties.

That

That his present Attempt is not undertaken in order to enslave a free People, is notoriously untrue. King James the Second, in his first Speech, cajoled his People with the like empty Promises of his Tendernefs for them, and Respect for the Preservation of their Liberties: But they soon saw their Error, and perceived, that Popery and arbitrary Power were inseparable, and never to be parted. If we were so treated by the Father, what Reason have we to believe that his pretended Son, bred up in the same slavish Religion, and educated a Stranger to Liberty, will treat us in a better Manner? His Ideas and ours concerning Freedom are totally different: If he leaves us as free as the Slaves of France and Italy, he will be of Opinion he has kept his Promise, and will never admit that we are thereby enslaved.

As to his being come to redress and remove the Encroachments made upon the People: The Answer to this is obvious.-- There are no Incroachments that in that Case would be to be redress'd, but those which, since the Revolution, have been made in Favour of the Subject, for abridging the Prerogative. As for any other Incroachments on the Rights or Possessions of the Subject, or any Sufferings which the Nation labours under, or wants this Pretender

Pretender to redress; *it is evident there are none.* His present Majesty, throughout the whole Course of his Reign, hath made the Laws of the Land the Rule of his Government: If he had done otherwise, instead of dealing in *Generals*, why did not the Persons who penn'd this Declaration descend to Particulars, and enumerate some of those *Incroachments* and *Sufferings* they so kindly propose to *redeem* us from? It is a Maxim, *Dolus versatur in Generalibus.*

The People of *England*, and our great Deliverer King *William* the Third, acted in quite a different Manner towards King *James* the Second: For, after that unfortunate Prince had, by a Series of tyrannical and illegal Proceedings, forfeited all Right to the Crown, they did not content themselves with a *general* Charge against him of *Incroachments* on the Rights of the People, but entered into a minute Declaration and Detail of them*; and thereby offered to leave the Redressing them to the Consideration of a *free* Parliament, which at first King *James* seem'd to agree to, but afterwards caused the *Writs*, that had been *sealed* for calling

* *Vide* Memorial from the *English* Protestants, and the Prince of *Orange's* Declaration, printed in 1688, and the Declaration of Rights.

one, to be burnt; and rather than concur with a *free English* Parliament, in what should be needful for re-establishing our Religion, Laws, and Liberties, he chose to *throw up* the Government, and *abdicate* his Crown. The Truth of the several illegal Acts laid to his Charge was so notorious, that he never controverted any of them, except the spurious Birth of the present Pretender, the Proof of which depended on a Chain of Circumstances, and was therefore, in its Nature, not so capable of being proved against him.

As to his not intending to impose upon any a Religion which they dislike, but to secure them all in the Enjoyment of those, which are respectively at present established among them, either in England, Scotland, or Ireland: And that, if it shall be deemed proper, that any further Security be given to the established Church or Clergy, he will pass any further Laws the Parliament shall judge necessary for that Purpose.

Before I make any Remarks on the *Promises* contained in this Paragraph, it will not be improper to remind the Reader in what Manner King *James* the Second kept *those* he made to his People.

In the Year 1678, when Duke of *York*, on his getting a Proviso incerted for
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excepting himself out of the Test Act, he spoke with great Earnestness, and with Tears in his Eyes; and solemnly protested, that whatever his Religion might be, it should only be a PRIVATE Thing between God and his own Soul; and that no Effect of it should ever appear in the Government *. At his Accession to the Throne in 1684, in a Speech to his Council, he said,—I have been reported to be a Man of arbitrary Power, but that is not the only Story that has been made of me; I shall make it my Endcavour to preserve this Government, both in Church and State, as it is now BY LAW ESTABLISHED: I shall always take Care to defend and support the Church of England; I shall never invade any Man's Property †; He swore in Effect the same thing at his Coronation; and, in his Speech to his Parliament, the 22d of May, 1685, he repeated the very same Expressions. ‡ And in another Speech to his Parliament he says, I will be steady in all the Promises I have made you.

Contrary to all this, he began his Reign with invading the Properties of his Subjects, by levying Money upon them, without the Consent of Parliament. Two

* Burnet, Vol. i. P. 436. † Gazette 2006.

‡ Gazette 2036.

Days after his Brother's Death he went *publickly* to Mass, and soon afterwards (*contrary to Law*) introduced Popish Officers into the Army, and a Majority of Papists into his Council ; and caused several Popish Bishops to be consecrated in his own Chapel at St. *James's*. — As to his other Promises, transported by a religious Delirium, he broke them all.* — Instead of making himself the *Terror* of *France*, and the *Arbiter* of Christendom, which, by entering into the Alliances he was invited to, he might easily have done, this unfortunate Prince during his whole Reign contented himself with the *humble Glory* of being a *Terror* to his *Protestant* Subjects; he brought the Nation to the Brink of Ruin, and all our Civil and Religious Rights were at an End; our Laws were trampled under Foot, and in Effect abolished, to make Room for his absolute *Will* and *Pleasure*, under the Pretence of his *dispensing* Power. Our Constitution was overthrown by the Trick of *New Charters*: Our *Universities* were invaded by *open Force*: Those who were in the lawful *Possession* of the Government of Colleges were *turned out*, and *Papists* sent thither in their Room ; and if that

* *Vide* the Remarks on the Pretender's Son's former Declaration. P. 26.

Attempt had been quietly submitted to, the *Churches* and *Pulpits* would soon have experienced the like *Violence*. *Letters* were written and intercepted, by which it evidently appeared that the *Change* of our *Religion* was resolved on, and that he was determined to *introduce* Popery or *die* in the Attempt.

Thus we see what insignificant Things *Oaths* and *Promises* are, when Popery is in the opposite Scale: To trust any more to them, would be the utmost Stupidity, there not being an Instance wherein Protestants were treated *fairly* by Papists with Respect to the Exercise of their Religion, whenever it was in their Power to use them otherwise.

The Perfidiousness of the *Father* will be a Warning to us not to put our Trust in the *Son*, who by his Education is under a *stronger* religious Byass to deal treacherously with us.

*As to any further Security being given to our established Church or Clergy;—*It is already sufficiently secured from every Danger but *one*,--- --*The great Increase of Papists among us*, a Danger a Popish Prince will probably not remove. It is therefore absurd to imagine we can be cajoled to exchange *good Protestant Security*, which we have been 57 Years in quiet Possession

Possession of, for the *doubtful Promises* of a bigotted Papist.

The Regent in this second Declaration has, indeed, *of his own Authority*, varied the Phrase, and promised to secure us in the Enjoyment of the *Religions, which are, AT PRESENT, established*. This is going something *further* than he did in his former Declaration, but it will appear there yet remains great Room for Equivocation, ---If we are compelled to conform to Popery, we may be told, it is only a *different Mode* of the *same* [Christian] Religion which is *at present* established in these Kingdoms: Besides this, *one Part* of the Pretender's Friends have always meant, by the Expression the *Church of England*, a quite different Church than what the Generality of Protestants understand by it. Mr. *Paul* and Mr. *Hall*, who were executed for Treason, the 13th of *July* 1716, in the Papers they delivered to the Sheriff of *Middlesex*, have put this out of doubt.

“ You see, my Countrymen, says Mr.
 “ *Paul*, by my Habit, that I die a Son,
 “ though a very unworthy one, *of the*
 “ *Church of England*: But I would not
 “ have you think that I am a Member of
 “ the *Schismatical Church*, whose Bishops
 “ set themselves up in Opposition to those
 “ Orthodox Fathers, who were *unlaw-*
 “ *fully*

“ *fully and invalidly* deprived by the
 “ Prince of *Orange*: I declare that I re-
 “ nounce that Communion, and that I die
 “ a dutiful and faithful Member of the
 “ *Nonjuring Church*, which has kept it-
 “ self free from Rebellion and Schism. *

“ I declare (says Mr. *Hall*) that I die
 “ a true and sincere Member of *the Church*
 “ of England; but not of the *Revolution*
 “ *Schismatical Church*, whose Bishops
 “ have so shamefully given up the Rights
 “ of the Church, by submitting to the
 “ unlawful, invalid Lay Deprivations of
 “ the Prince of *Orange*. The Communi-
 “ ty I die in is, that of the *True Catholick*
 “ *Nonjuring Church* of England: And I
 “ pray God to prosper and increase it,
 “ and to grant (if it be his good Pleasure)
 “ that it may rise again and flourish †.”

Dr. *Hickes*, in his Life of Mr. *John Kettlewell*, says, “ That King *James* the
 “ Second, at the Request of the deprived
 “ Bishops, appointed *two* for the *Conti-*
 “ *nuance* of the *Succession*, one to be no-
 “ minated by Dr. *Sancroft*, and the other
 “ by Dr. *Lloyd*; and that Dr. *Sancroft*
 “ nominated Dr. *Hickes*, and Dr. *Lloyd*
 “ Mr. *Thomas Wagstaffe*, who were both
 “ consecrated; the former by the Title of

* Collect. Dying Speeches, P. 42. † Ibid. P. 47,
Suffra-

“ *Suffragan of Thetford*, and the latter by
 “ that of *Suffragan of Ipswich*.—And
 “ that great Care had been had to preserve
 “ the Succession *uninterrupted*, thereby,
 “ as Mr. *Kettlewell* expresses it, to afford
 “ *Orthodox and Holy Ministrations* to
 “ those who should adhere unto them”*

And with a View to perpetuate the Evidence and Testimony of these Consecrations, regular Accounts have been ever since carefully kept of them, and of the *Names of all the Persons present thereat as Witnesses*; which Accounts have been since printed, and were not many Years ago attempted to be deposited in the publick Library of one of our Universities.

The *Catholic Nonjuring Church of England* is, therefore, without Question, the *Church* many of the Pretender's Friends understand to be *at present established in England*; and, if any Protestant Church is to be permitted, it is *that* the Pretender promises to secure.

But to return to the Declaration:

In Consequence of the Rectitude of his Father's Intentions, the Regent declares *his Sentiments with regard to the national Debt*; that it has been contracted under an *unlawful Government*, he says, *no Body*

* *Kettlewell's Life*, P. 339, 340.

can disown, no more than that it is now a most heavy Load upon the Nation; yet, in regard that it is for the greatest Part due to those very Subjects whom he promises to protect, cherish, and defend, he is resolved, he says, to take the Advice of his Parliament concerning it; and he thereby, in his Father's Name, further declares, that the same Rule laid down for the Funds shall be followed with Respect to every Law, or Act of Parliament since the Revolution, and in so far as in a free and legal Parliament they shall be approved, he will confirm them: That, with Respect to the pretended Union of the two Nations, he cannot possibly ratify it, since he has had repeated Remonstrances against it from each Kingdom, and since the principal Point then in view was the Exclusion of his Family from the Crown, for which Purpose, he says, the grossest Corruptions were openly used to bring it about: But whatever may be hereafter devised for the joint Benefit of both Nations, he declares, his Father will most readily comply with the Request of his Parliament to establish. These Promises, he says, ought to fill the Hearts of all his Father's Subjects, of what Nation or Province soever, with Comfort and Satisfaction; and that this his Declaration is the most ample Security for our Religion, Properties

*perties and Laws, that the Power of a BRITISH * Sovereign can grant, and which he thereby, as Heir Apparent to the Crown, ratifies and confirms in his own Name, before Almighty God, upon the Faith of a Christian, and the Honour of a Prince.*

It is observable, that this very extraordinary Paragraph is confessedly *emitted* by the Regent *of his own Authority*, without any special Directions from his Father for that Purpose, it flowing, as he assures us, purely and simply from his Knowledge of the *Rectitude* of his Father's Intentions, of which it must be confessed these Promises are a *most choice Specimen*.

All Laws are, in the Nature of our Government, *revocable* by a *subsequent* Parliament: And it is therefore surprizing our Enemies have not been more *explicit* in their Promises. Had the Pretender roundly assured us, upon the Word of a Prince, and the Faith of a *Papist*, that the Declaration of *Rights*, and every other Law made *since* the Revolution (except those by which he and his Family are attainted and debarred from the Crown)

* This Word *British*, from the preceeding Part of the Sentence, appears plainly to be a Mistake of the Press: The true Reading should be *Popish*, and not *British*, which hath not the least Relation to the Context.

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should

should remain *invulnerable*, it would not have been the least Security to us, because a future Parliament, composed of Persons Favourers of Popery, might in *one Day* after his Accession undo the Work of more than *half a Century*. — But even this is a Treatment too *decent* for us, and *more* than, in the Opinion of this young Pretender, the *English Nation merits* : Since, in the present Declaration, he *speaks out* with all the Insolence of a Conqueror ; and, not contented with the Power usurped by King *James* of *dispensing* with Laws, he thereby assumes to himself the Right of *Rescinding* all our Laws, all our Liberties, *at his Pleasure* : For, if of his own Authority he can *reject* one, by the same Rule he may, if he pleases, *reject all*. Are all the Laws that have been made since the Revolution, for the *Security* of the Subject, and the *Preservation* of our Properties and Religion, meer *Nullities* ? Are they to have Continuance no farther than as they shall be *first approved* by a Parliament, composed perhaps of Papists, and *afterwards* confirmed by our Invader ? Are near Sixty Millions Sterling of Property, advanced on the *Faith* and *Credit* of a *British* Parliament, to be made *debateable*, and put to *the Question* whether they are to *subsist* or not ? Are all *judicial*,

dicial, and other Proceedings, that, during this Period, have been had in this Country, which shall not be so approved and confirmed, to be overturned? What strange Ideas must these People have of *Englishmen*! None but Persons who have been *long Strangers* to *Property*, or, more probably, were never *possessed of any*, could entertain such mischievous Notions. — Are these the Promises that are to fill our Hearts with *Comfort* and *Satisfaction*? Is this the *most ample Security* for our Religion, Properties and Laws, that the Power of a *British King* can grant? — This is such an Insult on the Understanding of every Man in the Kingdom, that must certainly rouse up all that is *manly* and *noble* in them, in Opposition to so insolent and ruinous an Attempt.

Were we, for Argument's Sake, to admit (for which, however, there is not *the least Colour*) the *divine indefeasible hereditary Right* of Kings, and the Duty of *passive Obedience*, and *Non-resistance* in Subjects; and that, by Virtue thereof, this Pretender and his Father have had the *Right* to the Crown of these Kingdoms for these last 57 Years, and that they have been successively kept out of *Possession* of that Right by King *William*, Queen *Mary*, Queen *Anne*, King *George* the

First, and his present Majesty, who, during that Period, have *by Consent and Authority of Parliament* been, *in fact*, Kings and Queen of these Kingdoms. And after this, were we, for Argument's Sake, to suppose, what is next to impossible, that, as a Scourge for our Iniquities, this Pretender should *in fact* reign over us; would it from thence, agreeable to *the antient Constitutions of the Kingdom*, follow, that *all* the Laws, *all* the Acts of Parliament, and *all* the Debts, made and contracted by Authority of Parliament during this Period, are *null* and *void*, and of no Validity, any further than they shall be *approved* by a future Parliament, and *confirmed* by this *Trans-alpine* Monarch?

The Author of the Book entitled *The Hereditary Right to the Crown of England asserted*, &c. published in the Year 1713, speaking of a King *de facto*, (which he explains to be a King *not having Hereditary Right*) says, *a King de facto is not legally qualified to give a Commission to Judges, nor are Proceedings in his Courts of Judicature of any Authority: He cannot create a Nobleman, or make a Bishop;—all his Presentations to Benefices are voidable;—all Lands bestowed by him are resumeable at the Pleasure of the*
rightful

rightful Successor. *—But no Man in his Senses ever expected to have been so wicked and destructive a Proposition inserted in a Declaration to *incite* People to *ruin* and *destroy* themselves.

The Assertion that the Laws *since* the Revolution were made by an *unlawful Government*, depends singly on the Supposition that the Succession to the Crown is of *Divine Right*, and consequently *Indefeasible*. If this Proposition be once *admitted*, every one of the others advanced by Mr. *Bedford* in the Place just cited, must be admitted likewise, as depending on the same Principle.—The terrible Consequences that necessarily flow from such Premises, are too obvious to stand in Need of being repeated, and, were there no other, wou'd be sufficient Reasons to exclude the Pretender from the Crown, had he a Title, in other Respects, the most undoubted to it.

There are in the History of this Country repeated Instances to be met with of Kings, who filled the Throne by no other Title but the Success of War, and the Recognition of Parliaments, in *Exclusion* of others who had a nearer Claim in the *hereditary Line*; and yet whenever the next *lineal Heir* recover'd the Crown, as

* Hered. Right. p. 136.

it sometimes happened, it was never imagined that the *intermediate* Laws and Proceedings of Parliament, during the Reigns of *such* Kings, were either *void*, or stood in Need of being *confirmed* by the *De Jure Successor*, under pretence of their being made by an *unlawful Government*, or on any other Account; Law and Reason say expressly the contrary.

Since the Conquest there have been *eight* Kings in whom this *divine* Right is not pretended to be *found*, whose Reigns amount to near 200 Years, and whose Laws at present fill a great Part of our Statute Book.

The Safety of the People is the *supreme* Law, and is to be preferred to all *hereditary Titles*: And therefore in all *free* Countries, whenever the Prince, by a Series of illegal Proceedings, becomes a *Tyrant*, and endeavours to destroy his Subjects whom he is bound to protect, he thereby forfeits the Crown; and the Body of the People have a Right to *transfer* it upon another whom they have Reason to hope will, like King *William* the Third, make the good of his Subjects, the Rule of his Actions: Whoever can doubt of this, must have strange Notions of Government; he must be of Opinion *Princes* were

were not made *for* their People, but that the People were made *for* their King.

That a Million or more of Men should be born Slaves and Vassals to gratify the Tyranny and Passions of *one Man*, who by Nature is no more than their *Fellow Creature*, is most absurd and ridiculous.

An *Usurper*, who governs by mere *Power* and by the *forced* Submission of the People, has the *Power* but not the *Authority* of a King. But he who is *placed* on the Throne with the Approbation of the Body of the People has the *Authority* as well as the *Power* of a King, and is the *true and only King* our Constitution *acknowledges*. As for any other Persons, who under Pretence of being *nearer* to the Succession in the Hereditary Line, are sometimes, though improperly, called *Kings de Jure*, the Law does not consider them *as Kings*. The Lord Chief Justice *Coke*, and the Lord Chief Justice *Hales*, who wrote in *peaceable* Times, and *under* Princes whose Titles were not *questioned*, both agree that the Statute of Treason of the 25th of *Edward* the Third, extends only to the King *Regnant*, and not to the *de Jure Claimant*. *

—It wou'd be *strange* if it should mean

* 3d Inst. p. 7.—*Hales Pleas of the Crown*, vol. I. p. 101, 104.

any other, there being no other Notion of a King *when* that Statute was *made*, but of one who actually possessed the Crown with the general Submission of the People.

Protection and Allegiance have been always considered as reciprocal, and it is the Duty of Subjects to bear true Faith and Allegiance to the King *in Being* who affords them Protection; What a miserable Condition would the People be in, shou'd they be *liable* to be hanged *for not obeying* the King *in Being*, or *for obeying* him, to be punished by the *succeeding* King as *Traytors*?

All judicial and Political Acts done by the King *Regnant in Possession*, are as good and valid as if they had been done by a King in Possession by *Lineal Succession*; whereas, on the contrary, all such Acts done by a *de Jure Claimant*, who is *not* in Possession of the Crown are totally void. *

The Distinction between a King *de Jure* and a King *de Facto*, is a Distinction without a Difference, which was not heard of till *Edward* the Fourth's Time, tho' there had been many Kings before that Time, who ascended the Throne without the Title of a *Lineal Succession*.

Henry the Fourth, *Henry* the Fifth, and *Henry* the Sixth enjoyed the Crown up-

* *Coke* 3d Inst. p. 7.

wards of sixty Years, after which *Henry the Sixth*, in the *Thirty-ninth Year* of his Reign, being taken Prisoner at the *Battle of Northampton*, an Agreement was made in Parliament, that *Henry the Sixth* shou'd hold the Crown *during his Life*; and that the *Duke of York*, who claimed as *Lineal Heir*, should possess it *after his Death*.---It appears from the *Parliament Roll*, That in the Debate of this Case, all the Acts of Parliament made during the Reigns of the three *Henry's*, except that for intailing the Crown on the House of *Lancaster*, are thereby *admitted to be in force*.—The Words of the Roll are——*Howe it bee that all other Acts and Ordenances made in the said Parliament and Sithen been good and suffisant agenst all other Persones.* * Soon after this *Henry the sixth* was deposed, and *Edward the Fourth*, the *Lineal Heir* was acknowledged to be King by the Parliament; who passed an Act reciting that the *three Henry's* were Kings of *England in Deed, but not in Right other than by Authority of any Parliament, holden in any of their Times.* * But it was never

* Rot. parl. 39. H. 6. No. 15.

* Roies en fait et nient de droit autres qe par Aucto-rite d'ascun Parlement tenuz en ascun de leur temps.

Rotul. Parl. Ed. 4th. No. 42.

See Stat. 1. Ed. 4. c. 1. Sect. 1.

imagined that the Acts of Parliament made during these *three* Reigns, which fill near two Hundred Pages of our Statute Book, were *void*, or that they stood in need of being *confirmed* by the *de Jure Successor*. In fact, they never were confirmed by *Edward* the Fourth, but have been *ever since* received and acknowledged to be *subsisting* Laws. *Edward* the Fourth's Parliaments were so far from thinking them *void*, or made by an *unlawful Government*, that they passed several Acts for varying and explaining many of the Statutes made during the Reigns of those Kings, which must be acknowledged to be a *Parliamentary Admission* of their being in force. †

The Statute of 11 H. 7. Chap 1. Recites, ' That the Subjects of this Realm
' by Duty of their Allegiance, are bound
' to serve their Prince and Sovereign Lord
' *for the Time being* in his Warres, for
' the Defence of him and the Land, a-
' gainst every Rebellion, Power and
' Might, reared against him, and with him
' to enter and abide in Service, in Battle
' if Case so require; and that for the same
' Service, what fortune ever fall by Chance
' in the same Battle against the Mind and

* Stat. 12. Ed. 4. c. 1, and c. 7. and 14. Ed. 4th. c. 4. &c.

' Will of the Prince, as in this Land some-
 ' time passed hath been seen; that it is not
 ' *reasonable* but against all *Laws, Rea-*
 ' *son, and good Conscience*, that the said
 ' Subjects going with their Sovereign
 ' Lord in Warrs, attending upon him in
 ' Person, or being in other Places by his
 ' Commandment within this Land or
 ' without, any thing should *leese* or *for-*
 ' *feit* for doing their true Duty and Ser-
 ' vice of Allegiance. The Act therefore
 ' directs, that they shall not be liable to
 ' be prosecuted as Traitors in respect
 ' thereof, and that all process of Law,
 ' on that Account, should be void.'

By this Act the Subjects of the King
 in *Possession*, who take up Arms in *de-*
fence of his Title, whatever be the Event,
 are declared to have done their *Duty*,
 and not to be subject to *Punishment*;
 whereas, all those who join with a Person
claiming Title who is out of *Possession*,
 if they miscarry, are exposed to forfeit
 their Lives and Estates as *Traytors*.

That the present National Debt is a
heavy Load upon the Nation, will be
 readily admitted. — But by whom was
 great Part of it occasioned? Was is not
 by the Attempts made during the Reigns
 of King *William*, Queen *Anne*, and King
 George the First, in favour of the Preten-
 E 2 der

der and his Father? What convinced our Parliaments of the Necessity of keeping a large Body of National Troops in constant Pay *in time of Peace*, the Expence whereof in Fifty-seven Years hath amounted to *a great many Millions*; but the Existence of a *Pretender* to the Crown, and the repeated Plots, Conspiracies, and Rebellions attempted or contrived in his Favour? Who, but *his* Friends, opposed all Measures for raising *effectual* Supplies in the *first* War, and ended the *second* by an improper Peace, which left us in Insecurity and Danger, and made more Taxes, and more Debts necessary for our Preservation? And now that by their Wickedness and Perfidy they have brought these Mischiefs on the Nation, they by this new Declaration attempt to impute them to the present Royal Family. The Expence hath been so great, that the paying *one side* of the Account is full sufficient for this Country to bear. — It would be Madness to do any thing that should make us run the Risque of paying the *French side* of it likewise, which thirty Years ago was reported to amount to more than twenty Millions Sterling. — King *James* the Second and his pretended Son, have indeed taken *different* Methods to remove our Apprehensions concerning this Matter.

---King

—King *James* in his Declaration dated the 17th of *April*, 1693, from *St. Ger-mains en Laye*, expresses himself thus :

“ And whereas our Enemies endeavour
 “ to affright our Subjects with the Appre-
 “ hensions of great Sums which *must be*
 “ repaid to France; Wee positively assure
 “ them that our dearest Brother, the most
 “ Christian King expects no other Com-
 “ pensation for what he has done for us,
 “ than merely the Glory of having suc-
 “ coured an injured Prince.

The Designs of *France* were too well known to let such a barefaced Untruth gain Credit, for which Reason the young Pre-tender hath changed the Scene; and in his last Declaration modestly declares, *That his present Expedition was undertaken, unsupported either by France or Spain?* And yet a few Lines lower he asks, if it is not high Time for his Father to accept the Assistance of those who are able, and who have engaged to support him? And who can that be but *France* or *Spain*?— It would be mispending Time to give an Answer to such Falsities, the bare stating them being sufficient to refute and expose them.

As to his Declaration, that with Respect to the Union of the two Kingdoms, his Fa-ther cannot possibly RATIFY it: — This is
out doing

outdoing King James the Second, in his greatest Acts of Tyranny and arbitrary Power. He, indeed, dispensed with Laws; but his pretended Son, out of the Plenitude of his own Authority, rescinds the most solemn National Compacts, confirm'd and ratified by the Parliaments of each Kingdom. And what are the Reasons he gives for this extraordinary Proceeding, principally, because he has had repeated Remonstrances against it from each Kingdom: He should have said, from the Highland Papists in one Kingdom, and a few desperate Traytors in the other.

Let me now, says the Declaration, expostulate this weighty Matter with you, my Father's Subjects, and let me not omit this first publick Opportunity of awakening your Understandings, and of dispelling that Cloud, which the assiduous Pens of ill designing Men, have all along, but chiefly now, been endeavouring to cast on the Truth. So that we are first to be persuaded with a Belief, that our Understandings have been for 57 Years asleep, and when that is done, we are to rely on this Italian Doctor's Endeavours to awaken us. Instead of the Government's having employed the Pens of ill-designing Men, to cast a Cloud on the Truth; it is notorious the Administration think the Pretender, and his

his Cause, so little worthy of being answered, that they have not employed a single Pen to write against him.

Do not the the Pulpits and Congregations of the Clergy, as well as your Weekly Papers, ring with the dreadful Threats of Popery, Slavery, Tyranny and arbitrary Power, which are now ready to be imposed upon you by the formidable Powers of France and Spain?

This scarce deserves a serious Answer: You and your Father are avowed *Papists*. We are convinced, that should a *Popish* King ever be suffered to ascend the Throne, *his* Religion would very soon become *that* of the Nation: It was so in the Reign of Queen *Mary*, and there is no Reason to suppose the like would not happen again, if ever we should have the Misfortune to have a King of that Religion: *Quintilian's* Observation hath generally proved true in Practice, *Quod quicquid Principes faciunt præcipere videntur*. We are therefore satisfied the Pretender, whenever it is in his Power, will endeavour to impose these Things upon us; and we know it would be a vain Thing for him to attempt it, without the Assistance of *France* and *Spain*.

Is not my Father represented as a Blood-thirsty Tyrant, breathing out nothing but Destruction

Destruction to all those who will not immediately embrace an odious Religion? Or have I myself been better used?

As to his being a *Tyrant*, he must first have *Subjects* to govern, before he can play the *Tyrant* over them, which the People of *England* are determined not to be. — As to his *destroying* all that will not *immediately* embrace the *Romish* Religion, you quite mistake the Point. We never doubted but it would take up *some Time* after his Accession, before Racks, Tortures, Inquisitions, and bloody Massacres would be brought to bear; the Thing is *certain*, and a short *Delay of Time* quite immaterial? You have never yet insinuated that your Father is not a *Roman* Catholick, if so, there can be no Chance for our Prosperity; his very Piety will oblige him to our Destruction; and in Proportion as he is more religious, he will from that Motive become more cruel and insupportable?

Having thus answered your Expostulation as to your Father; What Reason have you *your self* to expect to be better used? Are you not of the same Bloodthirsty Religion, and will not the same Causes probably produce the same Effects?

But listen, say you, to the naked Truth.

I with my own Money hire a small Vessel, ill provided with Money, Arms or Friends, I arrive in Scotland attended by seven Persons: I publish my Father's Declaration, and proclaim his Title, with Pardon in one Hand; and in the other, Liberty of Conscience, and the most solemn Promises to grant whatever a free Parliament shall propose for the Happiness of the People.

As to your hiring this small Vessel, or its being done with *your own Money*. You will forgive our Incredulity: No Man in *Britain* will credit it; we should as soon believe, that the Court of *France* was *not* privy to, or consulted about your present Design; or that you hired the *French* Man of War, which Captain *Bret* disabled, with *your own Money*: You might, with equal Truth, tell us, that all the Soldiers and Mariners employed in the Embarkation made at *Dunkirk* in *February* 1743, in Order to invade these Kingdoms, many Thousand of whom perished in a Storm, were all hired *by you*, and paid for *with your own Money*. It is indecent to attempt to palm such incredible Things upon us, we are not yet prepared to swallow such Absurdities.

As for the *Pardon*, you say you offer'd, I shall add nothing to the Remarks formerly *

merly * made on it but this, that it was offered to a People who were *not in your Power*, and was so very *General*, that, consistent with the Terms of it, you might execute more than *nine* Parts in *ten* of the Kingdom. The Validity of your Promises, and what Sort of Parliaments we may expect under such a Prince, have been fully considered by me on a former Occasion †.

I have, I confess, the greatest Reason to adore the Goodness of Almighty God, who has in so remarkable a Manner protected me and my small Army through the many Dangers to which we were at first exposed, and who has led me in the Way to Victory, and to the Capital of this ancient Kingdom, amidst the Acclamations of my Father's Subjects.

Instead of thus impiously prostituting the Name of Almighty God, as a Cloak to your Proceedings, you would have accounted much better for these Events, had you told us—How long, and by whom, this Rebellion has been concerting; had you admitted that *most* of the Persons who have joined you are *Highland Papists*, and little better than Robbers and Banditti; and that it was amidst the Acclamations of

* *Vide* the Remarks on the Pretender's Son's former Declaration, p. 6.

† *Ibidem*, p. 19. and p. 9.

such Sort of Men, and through a Series of the greatest Perfidy and Treachery that was ever practised, that you got Possession of *Edinburgh*.

Why then is so much Pains taken to spirit up the Minds of the People against this my Undertaking? The Reason is obvious; it is, lest the real Sense of the Nation's present sufferings should blot out the Remembrance of past Misfortunes, and of the Outcries formerly raised against the Royal Family. Whatever Miscarriages might have given Occasion to them, they have been more than attoned for since; and the Nation has now an Opportunity of being secured against the like for the future.

I again call on you to enumerate any *Sufferings* the Nation *at present* labours under, except those occasioned by the Rebellion in which you and your Highland Army are embarked. The arbitrary and bloody Proceedings of King James the Second were so totally *inconsistent* with the Enjoyment of our Religion, Lives, or Liberties, that you deceive yourself greatly if you think the *Remembrance* of them will ever be *blotted out* from our Minds; or that they can ever be *attoned* for by any Thing less than a total *Exclusion* of all that pretend Title

under him. Past Experience hath so effectually convinced us of the Necessity of it, that, believe me, Sir, we are from Principle and Opinion determined, to the utmost of our Power, to oppose you and your Undertaking, as the *only* Means of being secured against the like Oppressions for the *future*.

That your Family has suffered Exile during these fifty-seven Years, you say, every Body knows.

Before *every* Body can know this, they must first know *what* Family you are of; many People, on very good Grounds, being of Opinion you have no more Relation to the Family of the *Stuarts*, than to that of the great *Mogul*.

If your Father was really the Son of the 'late King *James*, that Prince acted very cruelly by him, by doing all in his Power to render his Birth *doubtful* and *spurious*, notwithstanding he very well knew the Queen's Pregnancy was *ridiculed* by Persons of all Ranks throughout the Kingdom, and that *Imposture* and *Practice* were generally *surmised*, and almost universally *feared* and *expected*.

But, if your Father be truly the Son of King *James* the Second, which has never yet been made out, it will only *increase* our Dislike and Aversion to him.

There

There is nothing hard or strange in this: He is not the *first* Person that hath been *excluded* an Inheritance, by reason of the *Crimes* and *Forfeitures* of an Ancestor. Is it *reasonable* for him to expect, that a whole Nation will run the Risk of being ruined, for the Sake of reinstating him in what he has now no Title to? That would be a Piece of Gallantry that will be hardly put in Practice by Men who have been taught to set a proper Value on Liberty, by the repeated Attempts made to deprive them of it.

Has the Nation, during that Period of Time, been the more happy and flourishing for it? Undoubtedly, they have.

Have you found Reason to love and cherish your Governors as the Fathers of the People of Great-Britain and Ireland? Most certainly we have, and I call on you to mention a single Instance in which they have acted otherwise, or have in any manner imitated the arbitrary and illegal Practices of the late King *James*. The Laws of the Land have been the constant Rule of all their Actions:—Whereas your *Jure divino* Title is *above* all Law, and renders the *absolute Will* of the Prince the *only* Rule of Government.

You then impudently proceed thus:
Has a Family upon whom a Faction un-
lawfully

lawfully bestowed the Diadem of a right-ful Prince retained a due Sense of so great a Trust and Favour? Have you found more Humanity and Condescension in those who were not born to a Crown, than in my Royal Forefathers? Have their Ears been open to the Cries of the People? Have they, or do they, consider the Interest of these Nations? Have you reap'd any other Benefit from them than an immense Load of Debts?

To all which Questions, every honest Protestant in *Britain* will, to your Disappointment and Confusion, answer in the *Affirmative*. Sure somebody owed you a Shame, when you were induced to ask such Questions.

It was never disputed but that King *James* the Second was *once* entitled to the Crown; the Parliament having acknowledged him to be their King. But it is equally as certain, that, by his Perjury and Tyranny, he *afterwards* forfeited his Right, and, by his *Desertion* and *abdicating* the Crown, made it necessary for the People to chuse another Sovereign; which they did in a Convention of the States, as regularly and legally called as the Nature of the Thing would admit of, and in every Respect as regular as that which restored King *Charles* the Second,

Second, the Validity of whose Acts was never questioned.

The Crown was, after this, by Authority of Parliament, settled upon the present Royal Family, with a View to keep out Popery and Slavery;—That was the *Benefit* we expected,—and those great and good *Ends* have been effectually answered by it; besides which, our Properties have been thereby *secured*, and the Prerogative of the Crown properly and plainly *declared* and *restrained*. And, altho' the preserving this *mighty Acquisition*, and securing these *essential Benefits* to the Nation, have been necessarily attended with great Expence, and with a heavy Debt; by whom has this Debt been occasioned but by the ambitious Attempts of *France* to wrest them from us, in favour of the late King *James*, and his pretended Descendants.

If to the foregoing Questions, you are answered, you say, in the Affirmative, as you might be sure you would, you then proceed to ask a String of others equally injudicious.

Why has their Government been so often railed at in all your publick Assemblies.

— Wherever there is true *Liberty* there will be some *Licentiousness*. The Constitutional *Freedom* of Speech which *Englishmen*

men have a Right to in Parliament, and which was declared and confirmed to them at the Revolution, has sometimes been abused by *Traytors*, more frequently by Persons who have made a Practice of *railing against* the Measures of an Administration, with a View to *rail* themselves *into it*, and sometimes by Persons well-intentioned ; and which no *British* Parliament will, I hope, ever be without, who, out of their great Love and Zeal for Liberty, are always *watchful* over Ministers, and suspect their most innocent Actions of *Design* against the People.

This *Parliamentary* Freedom of Speech, notwithstanding it is one of those *essential* Privileges on which the very Existence and Being of a free Parliament depends, had been frequently *disputed* and often *violated* in preceeding Reigns ; for which Reason our Ancestors, at the Revolution, prudently took Care to have it asserted and established by the Bill of Rights, which declares, *that the Freedom of Speech, and Debates or Proceedings in Parliament, ought not to be impeached or questioned in any Court or Place out of Parliament ;* and we have ever since quietly enjoyed this great and constitutional Privilege. How much longer it would continue, if it should depend on the Pleasure of the Pretender,

Pretender, may be collected from your Proclamation dated the 9th of Oct. 1745. in which you insolently assert, *that the Peers or Commoners that meet or act in the present Parliament are guilty of an overt Act of Treason, and that no Right or Privilege of Parliament shall avail to justify what they shall say or do in that unlawful Assembly.*

This will serve as a Specimen to convince us, that the *Notions* you have imported with you from *Rome*, concerning our Parliament and its Privilege, and of overt Acts of Treason, are totally inconsistent with the *Laws and Genius of the English Nation.*

Why has the Nation been so long crying out in vain for Redress against the Abuse of Parliaments, upon Account of their long Duration; the Multitude of Placemen, which occasions their Venality; the Introduction of penal Laws; and, in general, against the miserable Scituation of the Kingdom at Home and Abroad?

Your Father, of all Men, should have been silent as to these Matters. Who made the *Repeal* of the Triennial Bill necessary? Was it not occasioned by the Rebellion which he fomented in the Kingdom; so that we were under a Necessity either to repeal that Law, or to have pro-

ceeded to an Election of Members of Parliament, during the time of an *actual Rebellion*. And the Crown has never refused to give the Royal Assent to any Bill for bringing it back to its former Period.

Let us take a view of the State of our Parliaments from the *Restoration* of King *Charles* the Second, to the *Abdication* of the late King *James*, which comprehends the Space of about twenty-eight Years, and compare it with what has been practised since.

King *Charles* returned to *England* the 25th of *May* 1660.——The Convention Parliament was dissolved the 29th of *November*, 1660. The 9th of *March* following he called his *first* Parliament, which met the 8th of *May*, 1661, and was continued by repeated Prorogations to the 25th of *January*, 1678, when it was dissolved, after having subsisted near 17 Years.

The 6th of *March*, 1678, his *second* Parliament met.

The 21st of *October*, 1680, his third Parliament met.

The 21st of *March*, 1680, his *fourth* Parliament met at *Oxford*, and was dissolved *seven Days* after, without being suffered to pass one Law.

So that, during this Period of near
Twenty-

Twenty-five Years, there were only *three* Parliaments; and for great Part of that Time the Parliament was not permitted to sit for *several Years together*.

King *James* the Second began his Reign the 27th of *March*, 1685.

The holding *the same Parliament for a long Term*, was indeed no Part of the *Complaint* against his Government, since during his *short* Reign he called but *one* Parliament, which he dissolved *abruptly* at their *second Meeting*.

If, from this *unpleasing* Prospect, we turn our Eyes on what has passed *since* King *James's Abdication*, we shall find that there has not a Year passed *since that fortunate Event*, in which we have not had a Parliament actually sitting for Dispatch of publick Business.

The Act for *Triennial* Parliaments was *one* of the many good Laws made *after* the Revolution; and most of the other Laws which provide for the Freedom and Independency of Parliaments have been passed *since that Time*.---With what Colour then can *you* complain of the *long Duration* of Parliaments, who insist the Laws for limiting their Duration, and for their frequent Meeting, by Reason they were made *since* the Revolution, are no Laws? If you should succeed, we should have no

Reason to complain of the *long Duration* of our Parliaments—We are convinced *your Father would govern* without them.

Your Complaint of the *Multitude of Placemen* is still more absurd, several Laws having been made since the Revolution for *restraining them*. If there are *now* more *Candidates* than there are *Places* for them, if you should have Success, instead of being *lessened*, they will probably be *increased*.

By your Declaration you promise all Military Officers that shall join you, the *same*, or a *higher* Post in your Father's Service, which proves you intend to keep a larger Army on Foot than is kept at present in this Country; and if *new Places* are not created, how will you have an Opportunity of providing for the great Number of Out-laws and attainted Men, who will be to be rewarded by you for their Perfidy and Treason?

As to the Introduction of Penal Laws — I know of none but those *against Papists*, which, to the Reproach of the Government, I am sorry to say, have not been properly *enforced* or *executed*.

There is no Government absolutely *Perfect*, and no Administration exempt from *some Mistakes*; and therefore if all the *Grievances* and *Miscarriages* you mention
were

were *real*, it would by no Means follow from thence, that his Majesty is *answerable* for them. The *Duration* of Parliaments, the *Multitude* of Placemen, or the Introduction of *Penal* Laws, if they are *Grievances* are not the sole Acts of the Crown, but are to be attributed either to *defects* in our Constitution that want to be remedied, or to the united Acts of the whole Legislature: It was never imagined that a King of *Britain* could *forfeit* his Right to the Crown for governing his Subjects *agreeable* to the Laws of the Land; or for giving the *Royal Assent* to any Law his Parliament desired him to pass. Nothing but a continued Series of *illegal* Actions, and of governing *contrary* to Law, and an obstinate *Refusal* of permitting things to be re-established upon their ancient footing, by Authority of Parliament, can incur such a forfeiture, or induce a wise and free People to have recourse to an Extremity of that Sort.

As to the rest of your Declaration, it is of such a Nature as deserves no Answer; however, that you may not complain any Part of it is sunk, I shall transcribe all that is material of it.

All these, and many more Inconveniences (you say) must now be removed, unless the People of Great Britain be already

dy so far corrupted that they will not accept Freedom when offered to them; seeing the King on his Restoration will refuse nothing that a free Parliament can ask for the Security of the Religion, Laws, and Liberties of his People.

The Fears of the Nation from the Powers of France and Spain, appear still more vain and groundless: My Expedition was undertaken, unsupported by either; but, indeed, when I see a Foreign Force brought by my Enemies against me; and when I hear of Dutch, Danes, Hessians, and Swiss, the Elector of Hanover's Allies, being called over to protect his Government against the King's Subjects; is it not high Time for the King, my Father, to accept also of the Assistance of those who are able, and who have ENGAGED to support him? But will the World, or any one Man of Sense in it infer from thence, that he INCLINES to be a tributary Prince, RATHER THAN an Independent Monarch? Who has the better Chance to be independent on Foreign Powers? He, who with the Aid of his own Subjects can wrest the Government out of the Hands of an Intruder; or he, who cannot without Assistance from Abroad support his Government, tho' established by all the Civil Power, and secured by a strong Military Force, against the undisciplined

disciplined Part of those he has ruled over for so many Years? Let him, if he pleases, try the Experiment: Let him send off his Foreign Hirelings, and put the Whole upon the Issue of a Battle; I will trust only to my Father's Subjects, who were, or shall be engaged in mine and their Country's Cause; but, notwithstanding all the Opposition he can make, I still trust in the Justness of my Cause, the Valour of my Troops, and the Assistance of the Almighty, to bring my Enterprize to a glorious Issue.

It is now Time to conclude, and I shall do it with this Reflection. Civil Wars are ever attended with Rancour and ill Will, which Party Rage never fails to produce in the Minds of those, whom different Interests, Principles, or Views, set in Opposition to one another: I therefore earnestly require it of my Friends to give as little loose as possible to such Passions: This will prove the most effectual Means to prevent the same in the Enemies of our Royal Cause; and this my Declaration will vindicate to all Posterity the Nobleness of my Undertaking, and the Generosity of my Intentions.

*As to the arrogant and impotent Menaces contained in these Paragraphs, they deserve no other Answer, than that my
brave*

brave Countrymen will deliver you at the Points of their Swords; they will convince you of the great Difference there is between veteran Troops, animated by a Love of Liberty, and the Cause of their Country; and an undisciplined Army of unhappy Men, who carry about them the Guilt of Perjury and Treason. What Trust can Men under these Circumstances have in *you*, who have *seduced* them to commit such Crimes? And what Reliance can *you* place on Persons, who by joining you have broke the most solemn Oaths, and the strictest Ties of Society?

As to your Proposal, that his Majesty should send back his *foreign Auxiliaries* - nothing is more absurd or ridiculous. They are, indeed, not wanted to *reduce* the rebellious Persons that have joined you; but, notwithstanding this, I heartily wish we had the like Number of *Danes, Hessians, and Hanoverians* in the Kingdom; I am sensible they would be of real Service to the Publick in this *Winter Campaign*; their Presence will serve greatly to quiet the Apprehensions of many well-meaning Persons, particularly the *monied Men*, who have the greatest Aversion to Popery and the Pretender; and therefore the *more auxiliary Troops* we have in the Kingdom, the *cheaper* will be the *Rate*
of

of Interest at which the Money you and the Court of *France* have made necessary to be raised on the Subject will be *borrowed* by the Public.

As to the insidious *Promises* you make his Majesty's Subjects, you may be assured they are not to be *deluded* by them. They will *accept* none of them. *Timent Danaos & Dona Ferentes*. They will never admit that your Highland Followers are engaged in the *Cause of their Country*, but will treat such of them, who shall obstinately decline to accept the Mercy and Amnesty that is going to be offered to them, as the worst and most perjured of Men; Traytors to their God, their King and their Country.

If you imagine that this Declaration will vindicate to Posterity, either the *Nobleness* of your Undertaking, or the *Generosity* of your Intentions, you greatly deceive your self; you have left behind much more durable Monuments of both. The Cruelties and Murders that have been *perpetrated*, the Rapine and Desolation that have been *committed* by the rebellious Highlanders, under your Command, will effectually convince Posterity of the *Nobleness* and *Generosity* of your Intentions.

If your present Expedition, as you pretend, had had no *Connection* with the

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ambitious Views of *France* and *Spain*, it would not have been attempted *at a Time*, when it is evident *none* but them can be benefitted by it.—As to *your* succeeding in it in any other Degree, it cannot fall within the Compass of your most *sanguine Expectations*.——Were your Highland Army reinforced by every Malecontent and Traytor in *Britain*, it would not be able to stand before the King's Troops, supported as they are, by the Majesty and Voice of the *English* Nation, and the united Wishes of every honest Man in the Kingdom. Had we not a regular Soldier in *Great Britain*, the *Abhorrence* of your Undertaking is so *universal*; there is such a *Hatred and Detestation of your Religion*, and of arbitrary Power, and such a Love of *Liberty*, and of our *bleeding* Country imprinted in the Minds of all his Majesty's *Protestant* Subjects, as would alone be sufficient effectually to disappoint all your Attempts, were you supported in them by the united Force of *France* and *Spain*.

You have in this last Part of your Declaration been guilty of an *artful Change* of the Question between us, which is, not *whether* the Pretender *inclines* to be a tributary Prince, rather than an independent Monarch, as the Declaration *absurdly* supposes: But is, if *France* or *Spain* should place

place the Pretender on the Throne of these Kingdoms, whether in that Case he will not *necessarily* be *dependent* on them. Is it not his Interest, is it not his Ambition to settle himself upon the *British* Throne? And will he not pursue those Means by which *alone* he can accomplish it? What Chance has he of Success, unless *France* or *Spain* supports him? No other Powers are able to assist him. We trust even they cannot effect it: But if they should, Is it not evident he must *necessarily* become *Tributary*, and that these Kingdoms would be little more than a *Province* to *France*? Can any one believe that so *interested* a Nation as the *French* will venture their Treasure and their Arms, where they expect to reap no Benefit from them? And will the Pretender *rather* *decline* the Chance of a Crown, than submit to the Terms *France* shall please to impose upon him? We are so well convinced *he would not*, that we look on the present Contest between your Family and us, to be reduced to this single Proposition; — Whether King *George* the *Protestant*, or King *Lewis* the *Papist*, and the *Tyrant*, shall be our King and Governor? — You may therefore for the future excuse yourself and us the Trouble of any more *Expostulations*; — for we are determined to a Man to *oppose* you.

As to the miserable Situation which you say the Kingdom is in at Home and Abroad— Believe me, Sir, you will find, to your very great Disappointment, that it is not in the Condition certain Writers of *Protests* and *Weekly Papers* have represented it to you. It will appear that the *Majesty* of these Kingdoms, the *Authority* of the Lords and Commons of *Great Britain*, in Conjunction with that of their *lawful* Sovereign, is not to be overcome by the Efforts of Faction or Rebellion. You will find that it is big with Fleets and Armies; that it can fortify itself with what Laws it shall judge necessary either for its *Defence* or for *adding Strength* to that excellent *Constitution* which you have rashly attempted to *subvert*: That it can command the Wealth and Strength of the Kingdom, for the Security of the People; and can, if necessary, engage the whole Protestant Interest of *Europe* in so good and just a Cause, as suppressing this Rebellion, and extinguishing for ever all *future Hopes* of the Pretender and his Adherents.

It is now Time to conclude these *Remarks*, in which I have attempted, with what Success the Publick will determine, to give an Answer to every Paragraph of this much *boasted* Declaration, which I thought

thought had the least Title to any ; and have thereby shewn, that several of the *Facts therein* asserted are *untrue* ; that the *Promises therein* mentioned, are *uncertain, insidious and equivocal* ; that the Attempt thereby avowed of making all the *Laws*, all the *Acts* of Parliament, and all the *Debts*, made and contracted by Authority of Parliament, *since the Revolution*, null and void, any farther than they shall be approved by a *future* Parliament, is a *wild Notion*, totally inconsistent with the Laws and Constitution of these Kingdoms, and the Liberty and Property of every Subject in them ; and have endeavoured to *vindicate* his Majesty and his Government from the *groundless* Calumnies with which this Declaration *impotently* attempts to blacken them. — If in the Course of these *Remarks* there are any Expressions, which the Reader at first Sight may think too *harsh*, he will probably excuse them, when he reflects, that where Truth and his Prince, are *abused* and *menaced* in the Manner they are by this Declaration, it is very *difficult*, and possibly not *expedient*, to preserve that *Moderation* and *Decency* of Expression, which on all other Occasions the Author is sensible he ought to prescribe to himself.

November 6th, 1745.

POST.



POSTSCRIPT.

SINCE these Remarks were sent to the Press, both Houses of Parliament have unanimously resolved that the Declaration of the 10th of *October*, 1745, and the Commission and Declaration which were the Subject of the former *Remarks*, and three other Papers, are false, scandalous, and traiterous Libels; intended to poison the Minds of his Majesty's Subjects; containing the most malicious, audacious, and wicked Incitements to them to commit the most abominable Treasons; groundless and infamous Calumnies and Indignities against the Government, Crown, and sacred Person of his Most Excellent Majesty King **GEORGE** the Second, our only rightful and undoubted Sovereign; and seditious and presumptuous Declarations against the Constitution of this united Kingdom; representing the High Court of Parliament, now legally assembled by his Majesty's Authority, as an unlawful Assembly, and all the Acts of
Parliament

Parliament passed since the late happy Revolution as null and void ; and that they are full of the utmost Arrogance, and insolent Affronts to the Honour of the *British* Nation, in supposing that his Majesty's Subjects are capable of being imposed upon, seduced, or terrified, by false and opprobrious Invectives, insidious Promises, or vain and impotent Menaces, or of being deluded to exchange the free Enjoyments of their Rights and Liberties, as well Civil as Religious, under the well-established Government of a Protestant Prince, for Popery and Slavery, under a Popish bigotted Pretender, long since excluded by the wisest Laws made to secure our excellent Constitution, and abjured by the most solemn Oaths.—

And therefore resolved, That in Abhorrence and Detestation of such vile and treasonable Practices, the same should be burnt by the Hands of the common Hangman, at the *Royal-Exchange, London*, on *Tuesday* the 12th Day of *November*, when the Sheriffs of *London* were directed to attend.-----And the same were accordingly burnt in the Presence, and with the Acclamations, of an infinite Number of his Majesty's loyal Subjects.

F I N I S.

